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Attorneys for Plaintiff
MATTHEW GUAGLIARDO

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN JOSE DIVISION

MATTHEW GUAGLIARDO,

Plaintiff,

v.

COLLEGE ENTRANCE EXAMINATION
BOARD, and DOES, 1 through 50, inclusive,

Defendants.

) Case No. C07 05325 RMW (PVT)

)
)
) **[PROPOSED] JOINT DISCOVERY**
) **PLAN**

) Conference Date: February 15, 2008
)
)
)

1 On January 18, 2008, plaintiff Matthew Guagliardo ("Plaintiff"), by his counsel Hopkins &
2 Carley (Daniel F. Pyne, III) and defendant College Entrance Examination Board ("Defendant") by
3 their undersigned counsel, Proskauer Rose LLP (Harold M. Brody and Mylene J. Brooks) met via
4 telephone conference in accordance with Federal Rule of Civil Procedure ("FRCP") 26(f), and as a
5 result of that meeting, the parties hereby respectfully submit the following proposed discovery
6 plan in accordance with FRCP 26(f):

- 7 1. The parties shall exchange their respective initial disclosures pursuant to FRCP
8 26(a)(1) on or before February 3, 2008.
- 9 2. All fact discovery, including written discovery and deposition, shall be commenced
10 in time to be completed on or before September 15, 2008. Fact discovery will be
11 needed on the following subjects:
 - 12 a. Plaintiff's job performance;
 - 13 b. Plaintiff's internal grievances;
 - 14 c. Plaintiff's termination;
 - 15 d. Plaintiff's efforts to seek reemployment;
 - 16 e. Defendant's personnel policies and practices; and
 - 17 f. Defendant's employment practices.
- 18 3. The parties have agreed to reasonably cooperate with each other in modifying the
19 length of any fact deposition beyond seven (7) hours as otherwise provided by the
20 Federal Rules of Civil Procedure and the Local Rules.
- 21 4. Motions to join other parties or to amend the pleadings shall be filed on or before
22 October 15, 2008.
- 23 5. Plaintiff shall serve his expert disclosures, if any, on or before October 20, 2008.
- 24 6. Defendant shall serve its rebuttal expert disclosures, if any, on or before November
25 19, 2008.
- 26 7. All depositions of expert witnesses shall be completed on or before December 19,
27 2008.

- 1 8. All potentially dispositive motions shall be served and filed so that they may be
2 heard on or before December 5, 2008.
- 3 9. The case should be ready for trial by January 19, 2009, and at this time is expected
4 to take approximately seven (7) days.
- 5 10. There have been no settlement discussions since prior to the filing of the
6 Complaint.
- 7 11. Defendant hereby attests that counsel for Plaintiff has authorized Defendant to
8 electronically sign this [Proposed] Joint Discovery Plan on Plaintiff's behalf.

9 DATED: February 1, 2008

HAROLD M. BRODY
MYLENE J. BROOKS
PROSKAUER ROSE LLP

12 _____/S/

13 Mylene J. Brooks
14 Attorneys for Defendant
COLLEGE ENTRANCE EXAMINATION BOARD

15 DATED: February 1, 2008

DANIEL F. PYNE, III
HOPKINS & CARLEY

17 _____/S/

18 Daniel F. Pyne, III
19 Attorneys for Plaintiff
MATTHEW GUAGLIARDO